

Legal Notice

SUMMARY NOTICE OF PENDENCY OF CLASS ACTION AND PROPOSED SETTLEMENT, MOTION FOR COSTS, AND FAIRNESS HEARING

ATTENTION PREMARIN® PURCHASERS

To: All persons or entities who purchased or paid for PREMARIN® at anytime from March 24, 1999 to January 12, 2007 in Arizona, Florida, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, New Mexico, North Carolina, North Dakota, South Dakota, Tennessee, Vermont, West Virginia or Wisconsin,

or

All "Third-Party Payors" who paid for or reimbursed for PREMARIN® in Nevada from October 1, 1999 to January 12, 2007:

A settlement has been proposed in a class action lawsuit alleging that the manufacturer of Premarin® violated federal antitrust laws and the state antitrust, unfair competition, and unjust enrichment laws in the states listed above by entering into allegedly exclusive rebate contracts covering Premarin® with managed care organizations such as HMOs, insurance companies, or pharmacy benefit managers ("Third-Party Payors").

No question is raised about the safety or effectiveness of Premarin®.

Defendants deny that they committed any violation of law or any wrongdoing or that they have any liability with respect to Plaintiffs or the Class.

In fact, Defendants prevailed in a related class action pending before the Court in *J.B.D.L. Corp. v. Wyeth-Ayerst Labs., Inc.*, No. 1:01-cv-704, 2005 WL 1396940 (S.D. Ohio June 13, 2005) ("*J.B.D.L.*"). In the *J.B.D.L.* class action, the Court dismissed substantially identical claims brought by "direct purchasers" of Premarin® (e.g., wholesalers and retail chain pharmacies) on summary judgment, meaning that the Court ruled that the claims in *J.B.D.L.* were legally insufficient for the case to proceed to trial. The Court's ruling in *J.B.D.L.* is currently on appeal before the United States Court of Appeals for the Sixth Circuit.

You may have important legal rights under this settlement, some of which you must act on by April 27, 2007.

For a Class Action Notice Package with the full details of this settlement, please call:

1-800-393-2786

or you may write to:

**Premarin Litigation Administrator, c/o Complete Claim Solutions, LLC
P.O. Box 24746, West Palm Beach, FL 33416**

or you may visit the website at www.premarinclassaction.com.